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UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

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HAPAG-LLOYD AKTIENGESELLSCHAFT,

Plaintiff,

14 Civ. 9949 (VEC)
(Lead Case)

-against-

U.S. OIL TRADING LLC, O.W. BUNKER
GERMANY GMBH, O.W. BUNKER & TRADING
A/S, O.W. BUNKER USA, INC., ING BANK N.V.,
CRÉDIT AGRICOLE CIB,

Defendants.

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U.S. OIL TRADING LLC,

Plaintiff,

c/w 15 Civ. 6718 (VEC)

-against-

M/V VIENNA EXPRESS, her tackle, boilers, apparel,
furniture, engines, appurtenances etc., *in rem*, and M/V
SOFIA EXPRESS, her tackle, boilers, apparel, furniture,
engines, appurtenances etc., *in rem*,

Defendants.

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STIPULATION AND
~~PROPOSED~~ ORDER FOR
DISMISSAL WITH PREJUDICE

HAPAG-LLOYD AKTIENGESELLSCHAFT, as
claimant to the M/V VIENNA EXPRESS,

Counter-Claimant and Third-Party Plaintiff,

-against-

U.S. OIL TRADING LLC,

Counter-Defendant and

O.W. BUNKER GERMANY GMBH, O.W. BUNKER
& TRADING A/S, ING BANK N.V., and CRÉDIT
AGRICOLE CORPORATE AND INVESTMENT
BANK,

Third-Party Defendants.

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WHEREAS, various claims, crossclaims and counterclaims have been asserted in the captioned consolidated actions by and/or against the following (collectively referred to as "Settling Parties"): Hapag-Lloyd Aktiengesellschaft ("Hapag"), U.S. Oil Trading LLC ("US Oil"), O.W. Bunker Germany GMBH ("OWG") and ING Bank N.V., as Security Agent ("ING"), including but not limited to *in rem* claims asserted with respect to the M/Vs VIENNA EXPRESS, SEASPAH HAMBURG, SOFIA EXPRESS, and SANTA ROBERTA and claims for attorneys' fees;

WHEREAS, the Settling Parties constitute the only remaining parties in the captioned cases; all other named parties having been dismissed; and

WHEREAS, the Settling Parties have settled the captioned consolidated actions, including all claims, crossclaims, and counterclaims, pursuant to a confidential settlement agreement;

IT IS HEREBY STIPULATED AND AGREED by and between the undersigned attorneys for the respective parties as follows:

1. All claims, crossclaims and counterclaims asserted in these actions and by and between the Settling Parties (including without limitation all *in personam* and *in rem* claims) be and hereby are dismissed with prejudice, each party to bear its own costs and attorneys' fees.

2. Any security posted by Hapag in connection with these proceedings including but not limited to Bond No. SNO0000012 in civil action 14-cv-9949 and the Letter of Undertaking issued by the U.K. P&I Club on or about November 28, 2014, be and hereby is cancelled.

3. This Stipulation may be filed without further notice and, for the purposes of filing this Stipulation, this Stipulation may be executed in counterparts which, when taken

together, shall constitute one and the same instrument, and signatures by facsimile and electronic mail have the same force and effect as the delivery of original, inked signatures.

Dated: New York, New York
April January 14, 2020

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SO ORDERED.

Date: 01/ /2020

HON. VALERIE CAPRONI
UNITED STATES DISTRICT JUDGE

together, shall constitute one and the same instrument, and signatures by facsimile and electronic mail have the same force and effect as the delivery of original, inked signatures.

Dated: New York, New York
April __, 2020

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The Clerk of Court is respectfully directed to terminate all pending motions and deadlines and close both of the above-captioned cases.

SO ORDERED.

Date: 04/17/2020

Valerie Caproni
HON. VALERIE CAPRONI
UNITED STATES DISTRICT JUDGE